

more of other courts of civil appeals whose dockets are not so crowded.

Sec. 13. The courts of civil appeals as now organized shall, upon the organization of the new court in judicial district No. 4 herein provided for, transfer to said court all cases appealed from counties within said district in the same manner and way in which cases were transferred to said civil courts under the provisions of section 4 of the act of April 13, 1892.

Senator Tips entered a motion to reconsider the motion by which the substitute offered by Senator Douglass was lost, and have the same spread upon the journal.

Senator Tips offered the following resolution.

Resolved, That the sergeant-at-arms be, and is hereby instructed to obtain two maps of the State of Texas, and to cause the supreme judicial districts as proposed by the majority and minority committees to be plainly marked thereon in various colors, said maps to be hung up or placed in the Senate chamber for the convenience and information of the Senate.

Adopted.

Senator Douglass moved to adjourn till to-morrow at 10 o'clock.

Senator Crowley moved to adjourn till 10 o'clock Friday morning.

The vote being taken on the longest time first, Senator Crowley's motion was lost by the following vote:

YEAS—8.

Boren,	Goss,
Crowley,	Imboden,
Dean,	Shelburne,
Dickson,	Simpson,

NAYS—21.

Agnew,	Lawhon,
Atlee,	Lewis,
Baldwin,	McKinney,
Bowser,	Presler,
Browning,	Smith,
Cranford,	Steele,
Douglass,	Swayne,
Greer,	Tips,
Hutchison,	Whitaker,
Jester,	Yoakum,
Kearby,	

ABSENT—1.

McComb.

EXCUSED—1.

Woods.

The Chair then put Senator Douglass' motion, which was carried by the following vote:

YEAS—21.

Agnew,	Hutchison,
Atlee,	Jester,
Boren,	Kearby,

Bowser,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	

NAYS—8.

Baldwin,	Lewis,
Crowley,	Shelburne,
Imboden,	Simpson,
Lawhon,	Yoakum,

ABSENT—1.

McComb.

EXCUSED—1.

Weeds.

FORTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, March 2, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—29.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	McKinney,
Bowser,	Presler,
Browning,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Dean,	Steele,
Dickson,	Swayne,
Douglass,	Tips,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum,
Imboden,	

ABSENT—2.

Lewis,

McComb.

Prayer by the chaplain, Dr. Briggs, as follows:

O Lord, our Father, teach us how to pray. Help us to see that prayer is not lip-labor, nor word-music, nor any outward attitude or ceremony. Make this moment one of the most real of our lives. May it be a time when weakness seeks strength; guilt, remission; sorrow, comfort; ignorance, knowledge; when the soul mounts as upon angel wings into the presence of the Most High. And to Thy name be power and glory now and always. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Browning, the reading of the same was suspended.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, March 1, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 416, entitled "An act to repeal an act entitled an act to diminish the civil and criminal jurisdiction of the county courts of Henderson, Parker, Uvalde, Lampasas, Blanco, Bexar, Kimble, Nueces, Gillespie, Kendall, Wheeler, Oldham, Bandera, Wharton, McMullen, Medina, Frio, Dimmit, LaSalle, Hidalgo, Starr, Zapata, Duval and Burnet counties, and to conform the jurisdiction of the district and justices' courts of said counties to such change, approved February 25, 1891, as far as same relates to Nueces, McMullen and San Patricio counties, and reinvest the county courts of Nueces, McMullen and San Patricio counties with the jurisdiction, criminal and civil, which they had and exercised prior to the passage of said act diminishing the jurisdiction of said courts,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

CRANFORD, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, March 1, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred

Senate joint resolution No. 5, entitled "A joint resolution to amend sections 4, 17, 22 and 23 of article 4 of the Constitution of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not pass*.

BROWNING, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, March 1, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 59, entitled "An act to provide for independent school districts in incorporated cities and towns and for the organization, maintenance and regulation of a uniform system of public free schools in the same, and to provide for special school taxes for the maintenance of the public free schools for nine months each year and

the erection of school buildings therein and to provide for the ownership and control of school property and school funds in such districts and to repeal all general and special laws in conflict with the provisions of this act,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not pass*, but that the committee substitute bill herewith reported in lieu thereof *do pass*.

SMITH, Chairman.

A bill to be entitled "An act to provide for independent school districts in incorporated cities and towns, and for the organization, maintenance and regulation of a uniform system of public free schools in the same, and to provide for special school taxes for the maintenance of the public free schools for nine months each year and the erection of school buildings therein, and to provide for the ownership and control of school property and school funds in such districts, and to repeal all general and special laws in conflict with the provisions of this act."

Section 1. Be it enacted by the Legislature of the State of Texas, that any incorporated city or town may become an independent school district.

Sec. 2. All cities and towns which have heretofore, under the act of May 2, 1875, or any subsequent law, assumed control of the public free schools within their limits, and have continued to exercise the same until the present time, and all cities and towns incorporated by special charters or under the general incorporation law that may be exercising the exclusive control of the public free schools within their limits at the time of the passage of this act, are hereby constituted independent school districts.

Sec. 3. The mayor of any incorporated city or town shall, upon the written petition of not less than twenty-five of the qualified electors of such city or town, within twenty days of the presentation to him of such petition, order an election to be held within thirty days, to be conducted as other municipal elections, to decide by a majority of the votes cast by the qualified electors of such city or town voting at such election whether such city or town shall become an independent school district. Those electors favoring the establishment of such a district shall have written or printed upon their ballots, "For an in-

dependent school district," and those opposing the same shall have written or printed upon their ballots, "Against an independent school district." If a majority of the votes cast at such election be in favor of an independent school district, such city or town shall thereby become an independent school district.

Sec. 4. If at such election it shall be decided that such city or town shall constitute an independent school district, then the mayor of said city or town shall, within ten days from the ascertainment of the result, order an election, to be conducted as other municipal elections, of six trustees to take charge of and manage the public free schools within the limits of said city or town, and the mayor of said city or town shall be ex-officio member of said board. The six persons receiving the largest number of said votes cast at such election shall thereupon become such trustees and shall serve until the next regular election of trustees on the second Tuesday in January next following, and until their successors shall qualify.

Sec. 5. The mayor of any city or town constituting an independent school district under the provisions of this act shall order an election to be held on the second Tuesday in January after the passage of this act, to be conducted as other municipal elections, to elect six trustees, who shall be qualified voters of such city or town, to take charge of and manage the public free schools in said city or town. The six persons receiving the largest number of votes cast at such election shall thereupon become trustees, and shall serve for two years and until their successors have qualified; provided, that the persons elected at the first regular election under this act shall determine by lot which three shall serve for one year and which three for two years; and on the second Tuesday in January of every year thereafter three trustees shall be elected to serve for two years. Any vacancy that may occur shall be filled by the remaining members of the board of trustees until the next regular election under this act, when the vacancy shall be filled for the balance of the unexpired term by election as provided for in this act.

Sec. 6. The mayor of each city or town which is by this act constituted an independent school district, and has heretofore had exclusive control of its public schools, shall order an election, to be held as other municipal

elections, on the second Tuesday in June, or at any time prior to the first of August next after the passage of this act, for the election of six trustees, and the six persons receiving the largest number of votes cast at such election shall thereupon become the trustees for the management and control of the public free schools within such city or town; provided, that no election of trustees shall be held under this act in any city or town that has a board of trustees elected by the people until the first regular election provided for in section 5 of this act, and the terms of any elected trustees that would expire before said regular election are hereby extended to the date of said election, and until their successors qualify. Every board of trustees elected or recognized under the provisions of this act shall be a body corporate, and shall adopt rules, regulations and by-laws for their own government and that of the schools under their control, and shall elect a president, a vice president, a secretary and a treasurer.

The first regular organization of boards of trustees under this act shall occur on the first Tuesday after their election, or as soon thereafter as practicable, and said boards shall be regularly reorganized annually thereafter on the third Tuesday in January, or as soon thereafter as practicable.

All elections to fill vacancies in the offices of said boards shall be for the unexpired terms. And said boards of trustees shall have the sole and exclusive control and management of the public free schools within the limits of their respective cities and towns constituting independent school districts, and all school boards by whatever name now known shall hereafter be known as boards of trustees and are hereby recognized as such, and their actions as such shall be valid until the election and qualification of trustees under this act.

Sec. 7. The treasurer of the board of trustees, before entering upon the duties of his office, shall execute a bond with two or more good and sufficient sureties, payable to the State of Texas, and to be approved by such board of trustees, and in such sum as shall be fixed by such board of trustees, not less than one-half of the annual school revenues that are liable to come into his hands; conditioned that such treasurer will receive and disburse such school funds as shall come into his hands according to law, and that he render a full and true account of all such funds to the board of trus-

tees and to the State Superintendent of Public Instruction, itemized as required by that officer, and he shall receive for his services such compensation as may be allowed by the board of trustees not to exceed the amount allowed county treasurers for like services, provided that he shall make such reports as may be demanded of him by the State Superintendent of Public Instruction, after having first presented such reports to the board of trustees of such independent school district and having the same approved by them, and he shall be allowed no compensation by the board of trustees until he shall exhibit a receipt for such reports from the State Superintendent of Public Instruction; provided, the board of trustees may elect the city treasurer as treasurer of said school fund.

Sec. 8. The pro rata of the available school fund of the State and county apportioned to any independent school district shall be, by the proper State or county officer, paid over directly to the treasurer of the board of trustees, and all funds arising from the assessment and collection of any special tax in such independent district for public free school purposes shall be, by the collector or other proper officer of such city or town constituting such independent school district, paid over to the treasurer of the school board, and all funds or securities held by any person for buying, building, repairing or furnishing school houses or other property for the use of the public free schools of such city or town constituting an independent school district shall pay the same directly to the treasurer of the board of trustees, and said treasurer shall disburse the funds coming into his hands only upon the order of the board of trustees, and the mayor and city council or board of aldermen of such city shall have no power or control over any of the funds received or collected for school purposes.

Sec. 9. Upon the petition of not less than fifty, or a majority of the qualified voters of any city or town constituting an independent school district, the board of trustees shall pass a resolution requesting the mayor to order an election to determine whether a special tax for school purposes shall be levied. Said board shall determine and said resolution shall specify:

1. Whether the proposition to be submitted shall be for a specific tax or for a maximum tax.

2. The rate of such specific or maximum tax, which shall be such as is deemed necessary in addition to the funds received from all other sources for the maintenance of the public free schools of such city or town for a period of nine months each year and the erection of suitable school buildings.

3. The time when said election shall be held.

The board of trustees shall cause a copy of said resolution to be delivered to the mayor of such city or town, and it shall be the duty of the mayor immediately to order such election in accordance with said resolution and cause the same to be duly held. Such election shall be conducted as other municipal elections are conducted in such city or town, and only qualified property taxpaying electors shall be permitted to vote at such election. Illegal voting in such election shall be punished as illegal voting in other municipal elections is punished. Those voting in favor of said special tax shall have written or printed on their ballots "for school tax," and those voting against said tax shall have written or printed on their ballot "against school tax."

Within ten days after said election is held as herein provided for the city council shall meet for the purpose of canvassing the returns and declaring the result thereof, and if it be ascertained that at such election two-thirds of the votes cast be in favor of said special or maximum tax they shall declare that the levy of such special tax has been authorized and shall cause a record of the result of said election to appear in the proceedings of the city council.

Sec. 10. When any city or town constituting an independent school district shall authorize a special school tax as above provided, it shall be the duty of the board of school trustees, at a meeting held prior to the meeting of the city council at which the city taxes for other purposes are levied, to make an estimate of the amount of funds necessary for the support of the schools for nine months, and for the erection of necessary school buildings, and to determine the rate of taxation necessary to raise said funds, which shall not exceed the rate voted by the people. They shall record the estimate made and shall file a statement with the city council showing the rate necessary to be levied for the said school and building purposes and it shall be the duty of the city council to levy annually such school taxes as

may be shown by the statement of the board of school trustees; provided, that if a specific rate of tax is voted by the people then said specific rate shall be levied annually by the city council, and provided further that the rate of tax for school and building purposes shall not exceed fifty cents on the one hundred dollars valuation in cities and towns of more than ten thousand inhabitants, and the rate for cities and towns of ten thousand inhabitants or less shall not exceed fifty cents for school purposes and twenty-five cents for building purposes on the one hundred dollars valuation of property; and if the council fail to make the levy asked for by the trustees, then the trustees may, after the expiration of ten days after the levy has been made for other purposes, make the levy for school purposes, which shall be as binding as if levied by the council.

Sec. 11. The board of trustees of any city or town constituting an independent school district that has authorized a special school tax may apply and expend for any year a stated part of the same for the erection of school buildings and the purchase of school sites; and the funds arising from such stated part shall be kept separate from other school funds and devoted exclusively to such purpose. They may also by resolution and contracts pledge and set apart such stated parts for a period of five years, if necessary or proper to secure an immediate purchase of such sites, or erection of such buildings. Any special tax herein authorized for school purposes by any city or town made an independent district by the provisions of this act shall hereafter be levied according to the provisions of this act; and when, at any election held for that purpose it is decided to discontinue the special school tax once authorized, so much of said special tax as may have been pledged under this section shall continue to be levied until said debts are satisfied.

Sec. 12. It shall be the duty of the assessor of taxes of any city or town constituting an independent school district to assess, and of the collector of taxes to collect annually the special school taxes provided for by this act as other municipal taxes are assessed and collected, and all the laws for the collection and enforced collection of other municipal taxes shall apply to the collection and enforced collection

of the special school taxes levied under this act, and the right of the people to vote and have levied and collected the special school taxes herein provided for shall never be infringed upon by the levy of taxes for other purposes to such an amount as to bring the said special school taxes within any inhibition provided by the Constitution.

Sec. 13. One election and no more shall be held hereafter in any one calendar year to ascertain whether a school tax shall be levied. If the proposition is carried, the school tax shall continue to be levied annually and collected for at least two years, and thereafter unless it is discontinued by a majority of the qualified taxpaying voters at an election held to determine whether the tax shall be continued, at the request of not less than fifty property taxpayers of such city or town. When the tax is continued, no election to discontinue it shall be held for two years; when the tax is discontinued, no election to levy a tax shall be held during the same year. At any time after the expiration of two years after any city or town has levied a school tax on itself, fifty property qualified taxpaying voters, or a majority of such voters of the city or town may have an election held, upon the proper petition, to determine whether such tax shall be abrogated, increased or diminished, such election shall be held and conducted as elections provided for in section 9 of this act, and persons entitled to vote at such election shall possess the qualifications prescribed in said section of this act. If the election be to abrogate or diminish the school tax each voter favoring the abrogation or diminution shall have written or printed upon his ticket, "For abrogating school tax," or "For diminishing school tax to — cents," as the case may be, and each voter opposing the abrogation or diminution shall have written or printed on his ballot, "Against abrogating school tax," or "Against diminishing school tax to — cents," as the case may be. And a majority vote shall be necessary to abrogate or diminish the school tax. If the election be to determine whether the tax shall be increased, each voter favoring the increase of the school tax shall have written or printed on his ballot, "For increase of school tax," and those opposing such increase shall have written or printed on their ballots, "Against increase of school tax," and if two-thirds of the votes

cast be in favor of increasing the tax, it shall be increased.

Sec. 14. In all cities and towns constituting independent school districts the title to all houses, lands and other property owned, held and set apart, or in any way dedicated to the use and benefit of the public free schools of such city or town, including property heretofore acquired as well as that which may hereafter be acquired, shall be vested in the board of trustees and their successors in office, in trust for the use and benefit of the public free schools of such city or town, and such board shall have and exercise the exclusive control and management of such school property and shall have and exercise exclusive possession thereof for the purposes aforesaid; provided, that when trustees are named other than the municipal corporation itself, in any instrument conveying, donating, bequeathing or devising any money or other property, real or personal, for the benefit of any city or town, this act shall not interfere in any way with the title to or the authority of such trustees to or over such money or other property. Any such board of trustees shall constitute a body corporate and shall have full power to protect the title, possession and use of all such property, and may bring and maintain such suit or suits in law or in equity, in any court of competent jurisdiction, when necessary to recover the title or possession of any such property that may be adversely held or seized, or to prevent any trespass upon or injury to such property; and the power and authority of any such board of trustees to bring and maintain any such suit in relation to the recovery of such property, or of the possession and use thereof, or for any trespass thereon or injury thereto that may now be pending in any court in this State, is hereby authorized, ratified and confirmed; provided, that the provisions of this section shall not apply to lands belonging to the State upon which houses for school purposes have been built without authority from the State.

Sec. 15. Any city or town having voted a tax in addition to the pro rata of the available school fund from the State and county may extend the scholastic age of the children in its schools and prescribe such other studies as the board of trustees may deem proper.

Sec. 16. It shall be the duty of the assessor of taxes of a city or town

constituting an independent school district, or such other person as the board of school trustees may select to take the scholastic census annually as is required by the county assessor, to file the rolls and abstracts with the board of trustees and to report an abstract of the same to the department of education at Austin.

Sec. 17. Any houses or lands held in trust by any such city or town for public free school purposes may be sold for the purpose of investing in more convenient and desirable school property by the board of trustees of said city or town, and in such cases the president of the board of trustees shall execute his deed to the purchaser for the same, reciting resolution of board of trustees authorizing such sale.

Sec. 18. Schools thus organized and provided for by incorporated cities and towns shall be subject to the general school laws so far as the same are practicable, but any such city or town shall constitute and be an independent district, and may, by regulation of the board of trustees, provide for the organization of schools and the appropriation of its school fund in such manner as may be best suited to its population and condition. The six trustees herein provided for shall serve without compensation, and no election officers or other persons shall receive any compensation for any service rendered in connection with any election for school purposes.

Sec. 19. The board of trustees of any city or town constituting an independent school district shall elect a superintendent of schools, who shall have the general supervision of all public free schools maintained in such city or town. He shall make such reports as shall be required by the State Superintendent of Public Instruction, and perform such other duties as may be required of him by the board of trustees.

Sec. 20. All laws and parts of laws, general or special, in conflict with the provisions of this act are hereby repealed.

Sec. 21. The lack of uniformity in the organization and control of the public schools in the cities and towns of this State, and the near approach of the period of usual reorganization, create an emergency requiring that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 28, 1893.

Hon. M. M. Crane, President of the Senate, and Hon. J. H. Cochran, Speaker of the House of Representatives:

Your free conference committee, to whom was referred the differences between the two Houses on

House bill No. 67, with Senate amendments, entitled "An act to provide for the prompt, speedy and economical disbursement of the direct tax refunded to the State of Texas under the act of the Fifty-first Congress, approved March 2, 1891,"

Have had the same under consideration, and report it back to the Senate and House, with the recommendation that the accompanying substitute be adopted in lieu of said bill and Senate amendments, and that the substitute do pass.

WEINERT,
O. R. MORRISON,
GEO. P. FINLAY,
W. M. PECK,
F. H. BAYNE,
House Committee.
MILES CROWLEY,
FRIENCH SIMPSON,
E. C. SMITH,
W. H. BROWNING,
O. P. BOWSER,
Senate Committee.

Substitute for House bill No. 67.

A bill to be entitled "An act to provide for the prompt, speedy, and economical disbursement of the direct tax refunded to the State of Texas under the act of the Fifty-first Congress, approved March 2, 1891."

Section 1. Be it enacted by the Legislature of the State of Texas: That all claims against the direct tax refunded to the State of Texas in trust for those from whom the same was collected, or their legal representatives, under the act of the Fifty-first Congress, approved March 2, 1891, shall be filed under the direction of the Governor, who shall cause a claim register to be kept by the Comptroller of Public Accounts, showing the county in which and by whom the tax was paid; by whom the claim for reimbursement is made; the number of the claim and date of filing; the award by the Comptroller; the name of the payee; the number, date, and amount of the warrant. All claims now on file with the auditing board, created by joint resolution of April 11, 1892, shall be filed as of the date of the taking effect of this act.

Sec. 2. The Comptroller of Public

Accounts shall audit and pass upon the claims against the direct tax fund, which may be made by those who paid the tax or their legal representatives.

Sec. 3. The Comptroller shall allow such claims and draw his warrant in the name of the claimant, his surviving wife or his or her legal representative, if any, on the State Treasurer in payment of same, when the genuineness thereof has been established in either of the following methods:

First. When satisfactory proof has been made before him that the party applying is entitled thereto. And he is hereby authorized to administer such oaths as he may require in regard to the matter.

Second. He shall, as soon as practicable, furnish a list of those who paid the tax and amounts paid, to the county judge of each county wherein the tax was paid, to be filed in his office for inspection by those interested. In the manner to be designated by the Comptroller, the county judge shall give notice of the receipt of the list. He shall at any time hear evidence as to the right of those making claim, and if the proof be satisfactory he shall, under the seal of the county court, deliver to the claimant a certificate stating how the claim was established. In cases where neither of the above rules can be applied the Comptroller may prescribe the rule.

Sec. 4. The county judge shall be allowed the sum of 25 cents for each certificate, to be paid by the applicant.

Sec. 5. All laws and parts of laws in conflict with this act are hereby repealed.

Sec. 6. That the people may receive the moneys due them as soon as possible, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, that this act take effect and be in force from and after its passage, and it is so enacted.

Senator Dean entered a motion to reconsider the vote by which the Senate refused to pass to its third reading.

House bill No. 26, entitled "An act to amend articles 747 and 748, chapter 11, title 17 of the Penal Code," and the same was ordered spread on the journal.

Senator Imboden entered a motion to reconsider the vote by which the amendment offered by Senator Hutchison to House bill No. 26, to-wit:

"Amend by striking out the amend-

ment as adopted by the House of Representatives engrossed rider," was lost, and it was spread on the journal.

On motion of Senator Imboden, Journal Clerk W. B. O'Quinn was excused for non-attendance on yesterday on account of sickness in his family.

Senator Greer moved that, as today is a legal holiday (anniversary of Texas independence), the Senate adjourn until to-morrow at 10 o'clock a.m.

Carried by the following vote:

YEAS—15.

Agnew,	Hutchison,
Boren,	Imboden,
Bowser,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Tips,
Goss,	Whitaker.
Greer,	

NAYS—13.

Baldwin,	McKinney,
Browning,	Smith,
Cranford,	Steele,
Douglass,	Swayne,
Jester,	Woods,
Kearby,	Yoakum.
Lawhon,	

ABSENT—3.

Atlee,	McComb.
Lewis,	

FORTY-FIFTH DAY.

SENATE CHAMBER.

AUSTIN, TEXAS, March 3, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—30.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Goss,	Tips,
Greer,	Whitaker,
Hutchison,	Woods,
Imboden,	Yoakum.

ABSENT—1.

McComb.

Prayer by the chaplain, Dr. Briggs, as follows:

O Lord, our Father, we thank Thee for the New South standing like

a young giant on the threshold of an opening future, more wonderful than anything of which our fathers ever dreamed. Fulfill every hope of the present. May the great future dawn safe and sure, but forbid that it should be at the cost of any real star that flashed in our ancestral crown. May we cling with a grasp that cannot be broken to the elements that made that old civilization, barring the curse of slavery, matchless in the history of the world—its splendid courage, its abundant hospitality, its knightly courtesy toward women, its devotion to principle, its constant sense of the superiority of the moral over the material. May these remain us as long as the magnolia blooms, or the Mississippi flows, or the Southern cross stands sentinel over our tropic border. And to Thy name be praise and honor now and always. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Steele, the reading of the same was suspended.

COMMITTEE REPORTS.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 3, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 190, entitled "An act to authorize and provide for holding of special terms of the district courts in the Twenty-sixth judicial district,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass, but that the accompanying committee substitute *do* pass in lieu thereof.

ATLEE, Chairman.

A bill to be entitled "An act to provide for the holding of special terms of the district courts."

Section 1. Be it enacted by the Legislature of the State of Texas, That the judge of each judicial district in this State shall have power to hold such special terms of the district courts in his district as may appear to him to be required to subserve the public interest, and to this end each of said judges shall have power, either in term time or in vacation, to order special terms of court in any county in his district for the trial of civil cases alone, or for the trial of both civil and criminal cases; provided, that no grand jury shall be impaneled at any special term of court.

Sec. 2. That the order of the judge ordering a special term shall state